

CHARGE SHEET**I. PERSONAL DATA****1. NAME OF ACCUSED:**

NOOR UTHMAN MUHAMMED

2. ALIASES OF ACCUSED:

a/k/a Akrama al Sudani, Abu al Hareth, Farouq al Kamari, Ikrima, Zamir Muhammed, Hakim Khodaydad

3. ISN NUMBER OF ACCUSED (LAST FOUR):

707

II. CHARGES AND SPECIFICATIONS**4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.****SPECIFICATION:**

SEE CONTINUATION SHEET, ATTACHED.

III. SWEARING OF CHARGES**5a. NAME OF ACCUSER (LAST, FIRST, MI)**

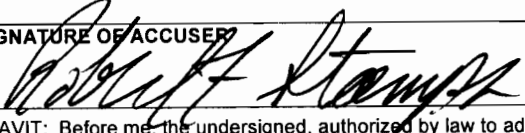
STAMPS, ROBERT F

5b. GRADE

O-6

5c. ORGANIZATION OF ACCUSER

OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER**5e. DATE (YYYYMMDD)**

2008 05 23

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 23rd day of May, 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

SPRAGG, ISAAC C

Typed Name of Officer

OMC-PROSECUTION

Organization of Officer

O-3

Grade



Signature

10 U.S.C. 1044(b)

Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

SPRAGG, ISAAC C

*Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges*

OMC-PROSECUTION

*Organization of the Person Who Caused
Accused to Be Notified of Charges*

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at _____ hours, on _____, at _____

Location

For the Convening Authority:

Typed Name of Officer

Grade

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

Charge Sheet Continuation Page in Case of NOOR UTHMAN MUHAMMED

CHARGE I: Violation 10 U.S.C. section 950v(b)(28), Conspiracy

Specification: In that Noor Uthman Muhammed, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in the context of and associated with an armed conflict, at various locations in Afghanistan and elsewhere, from August 1996 through March 2002, conspire and agree with Usama bin Laden, Saif al Adel, Dr. Ayman al Zawahari (a/k/a "the Doctor"), Muhammad Atef (a/k/a Abu Hafs al Masri), Khalid Shaykh Mohamed (a/k/a Mukhtar; hereinafter 'KSM'), and various other members and associates of the al Qaeda organization, known and unknown, to commit one or more substantive offenses triable by military commission, to wit: murder of a protected person or persons, attacking civilians, attacking civilian objects, intentionally causing serious bodily injury, murder in violation of the law of war, destruction of property in violation of the law of war, providing material support to an international terrorist organization and terrorism and did join al Qaeda, an enterprise of persons who shared a common criminal purpose, that involved, at least in part, the commission or intended commission of one or more of the said substantive offenses triable by military commission, and with knowledge of the common criminal purpose of the al Qaeda enterprise and of the unlawful purposes of the agreement, the said Noor Uthman Muhammed willfully joined the al Qaeda enterprise and willfully entered into the agreement with the intent to further those unlawful purposes, and knowingly committed the following overt acts in order to accomplish some objective or purpose of the enterprise and the agreement:

- a. After completing training at Khaldan terrorist training camp, Afghanistan, Noor Uthman Muhammed became a weapons instructor at the Khaldan terrorist training camp. Between 1996 and 2000, Muhammed instructed hundreds of terrorist trainees on the Kalashnikov AK-47 assault rifle, PK machine gun, rocket-propelled grenade (RPG), 75 and 82 mm heavy artillery, SPG-9 antitank weapon, Zukair anti-aircraft weapon and mountain warfare.
- b. From 1996 to 2000, Muhammed served on the Khaldan terrorist training camp *shura* council. Muhammed served as the Khaldan camp deputy *emir* or commander.
- c. In 1999, Muhammed delivered a fax machine to Usama bin Laden at the al Qaeda training camp, Jihad Wal.

- d. On 19 February 1999, Muhammed wrote and sent a letter to Abu Khebab recommending two Tajik trainees for additional terrorist training in poison manufacturing.
- e. On 13 April 1999, Muhammed wrote and sent a letter to Abu Khebab recommending Osayed al Yemeni for additional training at another terrorist training camp.
- f. From 1996 to 2000, Muhammed in his capacity as the deputy *emir* of Khaldan training camp, Muhammed oversaw the operations of the camp including the training of trainees on the functions and operation of the Kalashnikov AK-47 assault rifle, PK machine gun, rocket-propelled grenade (RPG), 75 and 82 mm heavy artillery, SPG-9 antitank weapon, Zukair anti-aircraft weapon, explosives and in mountain warfare.
- g. In June 2000, Muhammed attended a meeting of al Qaeda leaders in Wazir Akbar Khan, Kabul House. There, Muhammed received instructions to reduce operations and ultimately close the Khaldan terrorist training camp.
- h. On March 28, 2002, Muhammed, along with several other al Qaeda members, attempted to escape from a safehouse in Faisalabad, Pakistan, after a raid by local authorities, but was captured during his attempt.

CHARGE II: Violation of 10 U.S.C. section 950v(b)(25), Providing Material Support for Terrorism

Specification: In that Noor Uthman Muhammed, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, and elsewhere, between August 1996 and March 2002, in the context of or associated with an armed conflict, intentionally provide material support to al Qaeda, an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism, by performing at least one of the following acts:

- a. After completing training at Khaldan terrorist training camp, Afghanistan, Noor Uthman Muhammed became a weapons instructor at the Khaldan terrorist training camp. Between 1996 and 2000, Muhammed instructed hundreds of terrorist trainees on the Kalashnikov AK-47 assault rifle, PK machine gun, rocket-propelled grenade (RPG), 75 and 82 mm heavy artillery, SPG-9 antitank weapon, Zukair anti-aircraft weapon and mountain warfare.
- b. From 1996 to 2000, Muhammed served on the Khaldan terrorist training camp *shura* council. Muhammed served as the Khaldan camp deputy *emir* or commander.
- c. In 1999, Muhammed delivered a fax machine to Usama bin Laden at the al Qaeda training camp, Jihad Wal.
- d. On 19 February 1999, Muhammed wrote and sent a letter to Abu Khebab recommending two Tajik trainees for additional terrorist training in poison manufacturing.
- e. On 13 April 1999, Muhammed wrote and sent a letter to Abu Khebab recommending Osayed al Yemeni for additional training at another terrorist training camp.
- f. From 1996 to 2000, Muhammed in his capacity as the deputy *emir* of Khaldan training camp, Muhammed oversaw the operations of the camp including the training of trainees on the functions and operation of the Kalashnikov AK-47 assault rifle, PK machine gun, rocket-propelled grenade (RPG), 75 and 82 mm heavy artillery, SPG-9 antitank weapon, Zukair anti-aircraft weapon, explosives and in mountain warfare.
- g. In June 2000, Muhammed attended a meeting of al Qaeda leaders in Wazir Akbar Khan, Kabul House. There, Muhammed received instructions to reduce operations and ultimately close the Khaldan terrorist training camp.
- h. On March 28, 2002, Muhammed, along with several other al Qaeda members, attempted to escape from a safehouse in Faisalabad, Pakistan, after a raid by local authorities, but was captured during his attempt.